

CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER STARKER
Council Bill No. 13-2014
Ordinance No. 1559

Series 2014

TITLE: AN ORDINANCE ADOPTING BY REFERENCE THE 2012 EDITIONS OF THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL PLUMBING CODE, THE INTERNATIONAL PROPERTY MAINTENANCE CODE, THE INTERNATIONAL ENERGY CONSERVATION CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL FIRE CODE AND THE INTERNATIONAL FUEL GAS CODE; THE 2014 EDITION OF THE NATIONAL ELECTRICAL CODE; AND THE 2015 NATIONAL FIRE PROTECTION ASSOCIATION 99 STANDARD FOR HEALTH CARE FACILITIES; ADOPTING CERTAIN AMENDMENTS TO SUCH CODES; PROVIDING PENALTIES FOR VIOLATIONS OF THE SAME; AND AMENDING CHAPTER 5 OF THE WHEAT RIDGE CODE OF LAWS ACCORDINGLY

WHEREAS, the City of Wheat Ridge, Colorado (the "City"), is a Colorado home rule municipality, duly organized and existing pursuant to Section 6 of Article XX of the Colorado Constitution; and

WHEREAS, pursuant to Section 5.16 of the Wheat Ridge Home Rule Charter ("Charter") and Part 2 of Article 16 of Title 31 of the Colorado Revised Statutes, the City, acting through its City Council (the "Council"), possesses the authority to adopt standard codes by reference; and

WHEREAS, pursuant to this authority, the City previously adopted a series of technical codes by reference, codified under Article III of Chapter 5 of the Wheat Ridge Code of Laws ("Code"); and

WHEREAS, after due and proper notice and in accordance with C.R.S. § 31-16-203, the Council conducted a hearing on the adoption of updated versions of said technical codes, as set forth in this ordinance; and

WHEREAS, based upon recommendations of staff, as informed by the administration and enforcement of said technical codes over time, and the continuing evolution of said codes by the issuance of updated editions, the Council finds that it is the best interest of the City to adopt the 2012 editions of the International Building Code, the International Mechanical Code, the International Plumbing Code, the International Property Maintenance Code, the International Energy Conservation Code, the International Residential Code, the International Fire Code, the International Fuel Gas Code, the 2014 National Electrical Code and the 2015 National Fire Protection Association ("NFPA") 99 Standard for Health Care Facilities, and to adopt certain amendments to the same; and

WHEREAS, the Council now desires to amend certain sections of Chapter 5 of the Wheat Ridge Code of Laws ("Code") to adopt by reference the 2012 edition of the above-referenced International codes, the 2014 edition of the National Electrical Code

and the 2015 NFPA 99 Standard for Health Care Facilities, and to make certain amendments thereto, as further set forth herein.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:

Section 1. Section 5-76 of the Code, concerning the International Building Code, is hereby repealed and reenacted to read in its entirety as follows:

Sec. 5-76. Building Code.

- (a) *Adoption.* The International Building Code, 2012 Edition, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the building construction code of the City of Wheat Ridge. One copy of said International Building Code shall be filed in the office of the city clerk and may be inspected during regular business hours. Except as otherwise provided hereafter, such Code is adopted in full, including the outline of contents, index and appendices contained herein.
- (b) *Amendments.* The International Building Code adopted by this section is amended as follows. Section numbers referred to herein refer to and correspond with the section numbers of the 2012 International Building Code.

101.1 Title. Amend to read in its entirety:

101.1 Title. These regulations shall be known as the *Building Code* of the City of Wheat Ridge, hereinafter referred to as "this code."

105.1.1 Annual permit. Delete entire section.

105.1.2 Annual permit records. Delete entire section.

105.2 Work exempt from permit. Amend to read in its entirety:

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than 120 square feet.
2. Fences not over 6 feet high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless

- supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons and the ratio of height to diameter or width is not greater than 2:1.
 6. Sidewalks and driveways not more than 30 inches above adjacent grade, and not over any basement or story below and are not part of an accessible route.
 7. Painting, papering, carpeting, cabinets and countertops and similar finish work that is not a part of the scope of a larger permissible project.
 8. Prefabricated swimming pools that are less than 24 inches in depth, not greater than 5,000 gallons and are installed entirely above ground.
 9. Shade cloth structures under 400 square feet constructed for nursery or agricultural purposes, not including service systems.
 10. Swings and other playground equipment accessory to detached one- and two-family dwellings.
 11. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.
 12. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.
 13. Hoop houses as defined in Section 3102.2 that do not exceed 400 square feet in floor area, that are not occupied by the general public, and that do not contain mechanical or electrical devices, equipment or systems.

Electrical:

Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmission, but do apply to equipment and wiring for a power supply and the installation of towers and antennas.

Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing and servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.

2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter the approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds or less of refrigerant and actuated by motors of 1 horsepower or less.

Plumbing:

The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures

105.5 Expiration. Amend to read in its entirety:

105.5 Expiration. Every permit issued by the code official under the provisions of this code shall expire one year (365 days) after the date of issuance. The building official is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

107.1 General. Amend to read in its entirety:

107.1 General. Construction documents, statement of special inspections and other data shall be submitted in two (2) sets with each application for permit. The Building Official may allow additional sets to be submitted to allow for concurrent review to decrease the review time for applicants who wish to submit the additional documents. The construction documents shall be prepared by a registered design professional where required by

the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

107.3.1 Approval of construction documents. Amend to read in its entirety:

107.3.1 Approval of construction documents. When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Approved Subject to Field Inspections – Wheat Ridge Building Dept.". One set of construction documents so reviewed shall be retained by the building official. One set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

109.2 Schedule of permit fees. Amend to read in its entirety:

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The permit fee shall be established as set forth in Table 1-A.

109.3 Building permit valuations. Amend to read in its entirety:

109.3 Building permit valuations. The applicant for a permit shall provide an estimated project valuation at the time of application. Permit valuations shall include the value of all work, including foundation work, structural and non-structural building components, electrical, plumbing, mechanical and interior finish materials. Project valuation shall be calculated by the Building Division based on data published on the City website, and the higher of the applicant stated valuation and the division calculated valuation shall be used to determine building permit fees. Final building permit valuation shall be set by the building official.

109.6 Refunds. Amend to read in its entirety:

109.6 Refunds. The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 100 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.
4. Not more than 50 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled after initiation of any plan review effort.

Note: The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

113 Board of Appeals. Amend to read in its entirety:

113 Board of Appeals. Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in City of Wheat Ridge Municipal Code Sections 2-59 and 5-25. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

114.4 Violation penalties. Amend to read in its entirety:

114.4 Violation penalties. Any person or entity who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subjected to imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

115.2 Issuance. Delete entire section.

115.3 Unlawful continuance. Rename and amend in its entirety:

115.3 Issuance and unlawful continuance. Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work, or visibly posted at the work site. The notice shall state the conditions under which the work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 60 dollars or not more than 1000 dollars.

202 Definitions Delete the following definition from this section:

LIVE/WORK UNIT. A dwelling unit or sleeping unit in which a significant portion of the space includes a nonresidential use that is operated by the tenant.

202 Definitions Add the following definitions to this section:

HASH OIL. A resinous matrix of cannabinoids obtained from the cannabis plant by solvent extraction, formed into a hardened or viscous mass.

306.2 Moderate-hazard factory industrial, Group F-1. Add the following use to this section:

Marijuana cultivation
Marijuana products containing hash oil

307.5 High-hazard Group H-3. Add the following use to this section:

Occupancies involved in the water-based and noncombustible solvent-based extraction of hash oil. All other occupancies involved in the extraction of hash oil are not permitted.

307.5.1 Extraction of hash oil. Add the following section

307.5.1 Extraction of hash oil. Occupancies involving the water-based and noncombustible solvent-based extraction of hash oil shall be classified as H-3 occupancies and shall comply with the requirements of this code and referenced codes for such occupancy classification. All other occupancies involved in the extraction of hash oil are not permitted.

309.1 Mercantile Group M. Add the following use to this section:

Sale of marijuana, products containing marijuana and hash oil, and devices for use in the consumption of marijuana

419 *Live/Work Units*. Delete entire section.

420.4 *Automatic sprinkler system*. Amend to read in its entirety:

420.4 Automatic sprinkler system. Group R occupancies, with the exception of Group R-3, shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.2.8. Group I-1 occupancies shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.2.6. Quick response or residential automatic sprinklers shall be installed in accordance with Section 903.3.2.

1101.2 *Design*. Amend to read in its entirety:

1101.2 Design. Buildings and facilities shall be designed and constructed to be accessible in accordance with this code and ICC A117.1-2009 Edition

1209.2 *Attic spaces*. Amend to read in its entirety:

1209.2 Attic spaces. An opening not less than 20 inches by 30 inches shall be provided to any attic area having a clear height of over 30 inches. A 30-inch minimum clear headroom in the attic space shall be provided at all points directly above the access opening. The finish opening dimensions of attic accesses shall be a minimum of 20 inches by 30 inches.

1502 *Definitions*. Add the following text under the definition of "ROOF DECK":

Solidly sheathed deck shall be defined as decking consisting of American Plywood Association (APA) approved wood structural panel sheathing.

Closely fitted deck shall be defined as decking consisted of APA approved wood structural panel sheathing or lumber sheathing conforming to the requirements of Tables 2304.7(1) through 2304.7(5) in which no gap between members exceeds one-half of one inch.

Spaced decking shall be defined as lumber sheathing conforming to the requirements of Tables 2304.7(1) through 2304.7(5) in which any gap between members exceeds one-half of one inch.

1507.2.7 *Attachment*. Amend to read in its entirety:

1507.2.7 Attachment. Asphalt shingles shall be attached with a minimum of 6 nails per shingle or as specified by the manufacturer, whichever is more restrictive. Where the roof slope exceeds 20 units vertical in 12 units horizontal (167 percent slope)

special methods of fastening are required. Special fastening methods shall be tested in accordance with ASTM D 3161, Class F. Asphalt shingle wrappers shall bear a label indicating compliance with ASTM D 3161, Class F.

1507.2.8.2 *Ice barrier.* Amend to read in its entirety:

1507.2.8.2 Ice barrier. Ice barrier complying with ASTM D1970 shall be required in lieu of normal underlayment at roof eaves and shall extend from the eave edge to a point at least 24 inches inside the exterior wall line of the building.

Exception: Detached structures and attached garages that contain no conditioned floor area.

1607.12 *Loads.* Amend to read in its entirety:

1607.12 Roof loads The structural supports of roofs and marquees shall be designed to resist wind and, where applicable, snow and earthquake loads, in addition to the dead load of construction and the appropriate live loads as prescribed in this section, or as set forth in Table 1607.1. The live loads acting on a sloping surface shall be assumed to act vertically on the horizontal projection of that surface. For Hoop Houses as defined in Section 3102.2, the minimum live load for roofs shall be 5 PSF for coverings and 20 PSF for structural components.

1609.1 *Application.* Amend to read in its entirety:

1609.1 Application. Buildings, structures and parts thereof shall be designed to withstand the minimum wind loads prescribed herein. Decreases in wind loads shall not be made for the effect of shielding by other structures.

Exception: Hoop Houses as defined in Section 3102.2 shall be designed to provide resistance to a minimum wind speed of 70 miles per hour.

1808.1 *General.* Amend to read in its entirety:

1808.1 General. Footings shall be designed and constructed in accordance with Sections 1805.1 through 1805.9. Footings and foundations shall be built on undisturbed soil, compacted fill material or CLSM. Compacted fill material shall be placed in accordance with Section 1803.5. CLSM shall be placed in accordance with 1803.6. All footing and foundation systems for additions and new structures shall be designed by a structural engineer licensed by the State of Colorado and submitted plans for these systems shall be wet-stamped by the engineer of record at the time of permit application submission.

The top surface of footings shall be level. The bottom surface of footings is permitted to have a slope not exceeding one unit vertical in 10 units horizontal (10 percent slope). Footings shall be stepped where it is necessary to change the elevation of the top surface of the footing or where the surface of the ground slopes more than the one unit vertical in 10 units horizontal (10 percent slope).

3001.2 Referenced Standards. Amend to read in its entirety:

3001.2 Referenced Standards. Except as otherwise provided for in this Code, the design, construction, installation, alteration, repair and maintenance of elevators and conveying systems and their components shall conform to ASME A90.1, ASME B20.1, ALCTV, and ASCE 24 for construction in flood hazard areas established in section 1612.3 of this code. The design, construction installation, alteration, repair and maintenance of elevators and conveying systems shall also conform to ASME A17.1, ASME A17.2, ASME A17.3, ASME A18.1 and ASME QE-1 and all other standards referenced in Section 2-6-1(1) of the Colorado Department of Labor and Employment, Division of Public Safety Conveyance Regulations, 7 Colo. Code Regs. 1101-8, as now and hereafter amended (the "OPS Regulations").

3102.2 Definitions. Add the following language to Section 3102.2:

HOOP HOUSE. A structure not exceeding 1,000 square feet in floor area with a maximum six mils thick poly film roof and wall covering installed over rounded structural members in which there is no storage of solvents, fertilizers, gases or other chemicals or flammable materials. Structures not complying with all of the specifics set forth in the definition above shall be defined in accordance with adopted code and standard practice. Hoop houses exceeding 1,000 square feet in size shall be defined as greenhouses for the purpose of determining applicability of adopted codes and regulations.

3102.3 Type of construction. Amend to read in its entirety:

3102.3 Type of construction. Noncombustible membrane structures shall be classified as Type IIB construction. Noncombustible frame or cable-supported structures covered by and approved membrane in accordance with Section 3012.3.1 shall be classified as Type IIB construction. Heavy timber frame-supported structures covered by an approved membrane in accordance with Section 3102.3.1 shall be classified as Type IV construction. Other membrane structures, and hoop houses as defined in Section 3102.2, shall be classified as Type V construction.

Exception: Plastic less than 30 feet above any floor used in hoop houses as defined in Section 3102.2 and greenhouses, where occupancy by the general public is not authorized, and for aquaculture pond covers is not required to meet the fire propagation performance criteria of NFPA 701.

3102.3.1 Membrane and interior liner. Amend to read in its entirety

3102.3.1 Membrane and interior liner material. Membrane and interior liners shall be either noncombustible as set forth in Section 703.4 or meet the fire propagation performance criteria of NFPA 701 and the manufacturer's test protocol.

Exception: Plastic less than 20 mil in thickness used in hoop houses as defined in Section 3102.2 and in greenhouses, where occupancy by the general public is not authorized, and for aquaculture pond covers is not required to meet the fire propagation performance criteria of NFPA 701.

3102.4 Allowable floor areas. Amend to read in its entirety:

3102.4 Allowable floor areas. The area of a membrane structure shall not exceed the limitations set forth in Table 503, except as provided in Section 506. The floor area of Hoop Houses as defined in Section 3102.2 shall not exceed 1,000 square feet.

3102.5 Maximum height. Amend to read in its entirety:

3102.5 Maximum height. Membrane structures shall not exceed one story nor shall such structures exceed the height limitations in feet set forth in Table 503. Hoop houses as defined in Section 3102.2 shall not exceed applicable heights as determined by regulations set forth in Municipal Code Sections 26-205, 26-214, and 26-625.

Exception: Noncombustible membrane structures serving as roofs only.

3102.6.1 Noncombustible membrane. Amend to read in its entirety:

Section 3102.6.1 Noncombustible membrane. A noncombustible membrane shall be permitted for use as the roof or as a skylight of any building or atrium of a building of any type of construction provided it is at least 20 feet above any floor, balcony or gallery. A noncombustible poly film not exceeding 6 millimeters in thickness shall be permitted to be used as the roof and wall covering for structures defined as Hoop Houses in Section 3102.2, regardless of height.

3109.3 Public swimming pools. Amend to read in its entirety:

3109.3 Public swimming pools. Public swimming pools shall be completely enclosed by a fence at least 60 inches in height or a screen enclosure. Openings in the fence shall not permit the passage of a 4-inch-diameter sphere. The fence or screen enclosure shall be equipped with self-closing and self-latching gates complying with section 3109.4.1.7 Gates.

3109.4.1 Barrier height and clearances. Amend to read in its entirety:

3109.4.1 Barrier height and clearances. The top of the barrier shall be at least 60 inches above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches measured on the side of the barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the barrier is authorized to be at ground level or mounted on top of the pool structure, and the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches.

Only the following appendices are adopted:

Appendix E: Supplementary Accessibility Requirements. **Appendix E** is adopted in its entirety to set forth requirements not otherwise covered in other areas of the code or referenced documents for accessibility requirements.

Appendix I: Patio Covers. **Appendix I** is adopted in its entirety to set forth requirements not otherwise covered in other areas of the code for Patio Covers.

Section 2. Subsection 5-77(a) of the Code, concerning the adoption of the National Electrical Code, is hereby repealed and reenacted to read in its entirety as follows:

(a) *Adoption.* The National Electrical Code, 2014 Edition, copyrighted by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts, 01269-7471, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the electrical code of the city. Except as otherwise provided in this article, such code is adopted in full, including the index contained therein. One copy of said National Electrical Code shall be filed in the office of the city clerk and may be inspected during regular business hours.

Section 3. Section 5-78 of the Code, concerning the International Mechanical Code, is hereby repealed and reenacted to read in its entirety as follows:

Sec. 5-78. Mechanical Code.

(a) *Adoption.* The International Mechanical Code, 2012 Edition, is hereby adopted by reference and incorporated into this article as though fully

set forth herein as the mechanical code of the City of Wheat Ridge. One copy of said International Mechanical Code shall be filed in the office of the city clerk and may be inspected during regular business hours. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents and index contained herein.

- (b) *Amendments.* The International Mechanical Code adopted by this section is amended as follows. Section numbers referred to herein refer to and correspond with the section numbers of the 2012 International Mechanical Code.

101.1 Title. Amend to read in its entirety:

101.1 Title. These regulations shall be known as the *Mechanical Code* of the City of Wheat Ridge hereinafter referred to as "this code."

106.3.1 Construction documents. Amend to read in its entirety:

106.3.1 Construction documents. Construction documents, statement of special inspections and other data shall be submitted in two (2) sets with each application for permit. The Building Official may allow additional sets to be submitted to allow for concurrent review to decrease the review time for applicants who wish to submit the additional documents. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional when required by state law. Where special conditions exist, the code official is authorized to require additional construction documents to be prepared by a registered design professional. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. Construction documents for buildings more than two stories in height shall indicate where penetrations will be made for mechanical systems, and the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.

Exception: The code official shall have the authority to waive the submission of construction documents, calculations or other data if the nature of the work applied for is such that reviewing of construction documents is not necessary to determine compliance with this code.

106.4.3 Expiration. Amend to read in its entirety:

106.4.3 Expiration. Every permit issued by the code official under the provisions of this code shall expire one year (365 days) after the date of issuance. The building official is

authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

106.5.2 Fee Schedule. Amend to read in its entirety:

106.5.2 Fee Schedule. The fees for all mechanical work shall be established as set forth in Table 1-A.

106.5.3 Fee refunds. Amend to read in its entirety:

106.5.3 Fee refunds. The code official shall authorize the refunding of fees as follows:

1. The full amount any fee paid hereunder that was erroneously paid or collected.
2. Not more than 100 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.
4. Not more than 50 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled after initiation of any plan review effort.

Note: The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

108.4 Violation penalties. Amend to read in its entirety:

108.4 Violation penalties. Any person or entity who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subjected to imprisonment. Each day that a violation

continues after due notice has been served shall be deemed a separate offense.

108.5 Stop work orders. Amend to read in its entirety:

108.5 Stop work orders. Upon notice from the code official, work on any mechanical system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work, or visibly posted at the work site. The notice shall state the conditions under which the work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 60 dollars or not more than 1000 dollars.

109 Means of Appeal. Amend to read in its entirety:

109 Means of Appeal. Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in City of Wheat Ridge Municipal Code Sections 2-59 and 5-25. An application for appeal shall be based on claim the true intent of this code or the rules legally adopted thereunder, and fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

502.20 Marijuana related occupancies. Add the following section:

502.20 Marijuana related occupancies. Occupancies involved in the sale, transfer, packaging, processing, cultivation, production, extraction or destruction of plants and their parts, devices designed for the use of marijuana and marijuana products, products containing marijuana and hash oil, hash oil or other marijuana related operations and activities shall provide an approved source capture system capable of removing particulate and odors as required to achieve levels that do not constitute as nuisance to adjacent occupants, structures and properties. For the purpose of application of requirements of this code, occupancies involved in the water-based extraction of hash oil shall be considered to be hazardous occupancies and shall be subject to the requirements for such occupancies as set forth in this code. Occupancies involved in the solvent-based extraction of hash oil are not permitted.

Section 4. Section 5-79 of the Code, concerning the International Plumbing Code, is hereby repealed and reenacted to read in its entirety as follows:

Sec. 5-79. Plumbing Code.

- (a) *Adoption.* The International Plumbing Code, 2012 Edition, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the plumbing code of the City of Wheat Ridge. One copy of said International Plumbing Code shall be filed in the office of the city clerk and may be inspected during regular business hours. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents and index contained herein.
- (b) *Amendments.* The International Plumbing Code adopted by this section is amended as follows. Section numbers referred to herein refer to and correspond with the section numbers of the 2012 International Plumbing Code.

101.1 Title. Amend to read in its entirety:

101.1 Title. These regulations shall be known as the *Plumbing Code* of the City of Wheat Ridge hereinafter referred to as "this code."

106.3.1 Construction documents. Amend to read in its entirety:

106.3.1 Construction documents. The registered design professional shall submit to the code official two complete sets of signed and sealed construction documents for the alternative engineered design. The construction documents shall include floor plans and a riser diagram of the work. Where appropriate, the construction documents shall indicate the direction of flow, all pipe sizes, grade of horizontal piping, loading, and location of fixtures and appliances.

Exception: The code official shall have the authority to waive the submission of construction documents, calculations or other data if the nature of the work applied for is such that submission of construction documents is not necessary to determine compliance with this code.

106.5.3 Expiration. Amend to read in its entirety:

106.5.3 Expiration. Every permit issued by the code official under the provisions of this code shall expire one year (365 days) after the date of issuance. The building official is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

106.6.2 Fee Schedule. Amend to read in its entirety:

106.6.2 Fee Schedule. The fees for all plumbing work shall be established as set forth in Table 1-A.

106.6.3 Fee refunds. Amend to read in its entirety:

106.6.3 Fee refunds. The code official shall authorize the refunding of fees as follows:

1. The full amount any fee paid hereunder that was erroneously paid or collected.
2. Not more than 100 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.
4. Not more than 50 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled after initiation of any plan review effort.

Note: The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

108.4 Violation penalties. Amend to read in its entirety:

108.4 Violation penalties. Any person or entity who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subjected to imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

108.5 Stop work orders. Amend to read in its entirety:

108.5 Stop work orders. Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work, or visibly posted at the work site. The notice shall state the conditions under which the work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 60 dollars or not more than 1000 dollars.

109 Means of Appeal. Amend to read in its entirety:

109 Means of Appeal. Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in City of Wheat Ridge Municipal Code Sections 2-59 and 5-25. An application for appeal shall be based on claim the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

403.1 Minimum number of fixtures. Delete the text of this section, while maintaining Table 403.1, and insert:

403.1 Minimum number of fixtures. Plumbing fixtures shall be provided for the type of occupancy and in the minimum number shown in Tables 403.1 and 403.1.1. Types of occupancies not shown in Tables 403.1 and 403.1.1 shall be considered individually by the code official. The number of occupants shall be determined by the International Building Code. Occupancy classification shall be determined in accordance with the International Building Code. Table 403.1.1 shall be as follows:

Table 403.1.1

Occupancy	Description	Separate Sex Facilities Required When Occupant Load Exceeds
A-1	Theaters and other buildings For the performing arts and Motion pictures	65
A-2	Nightclubs, bars, taverns, dance halls and buildings for similar purposes	40

	Restaurants, banquet halls and food courts	75
A-3	Auditoriums without permanent seating, art galleries, exhibition halls, museums, lecture halls, libraries, arcades and gymnasiums	65
	Passenger terminals and transportation facilities	250
	Places of worship and other religious services	75
A-4	Coliseums, arenas, skating rinks, pools and tennis courts for indoor sporting events and activities	40
A-5	Stadiums, amusement parks, bleachers and grandstands for outdoor sporting events and activities	40
B	Buildings for the transaction of business, professional services, other services involving merchandise, office buildings, banks, light industrial and similar uses	25
E	Educational facilities	50
F1 & F2	Structures in which occupants are engaged in work fabricating, assembly or processing of products or materials	100
I-1	Residential care	10
I-2	Hospitals, ambulatory nursing home patients	N/A
	Employees, other than residential care	25
	Visitors, other than residential care	75
I-3	Prisons	N/A
I-3	Reformatories, detention centers, and correctional centers	15
I-4	Adult day care and child care	15

M	Retail stores, service stations, shops, salesrooms, markets and shopping centers	125
R-1	Hotels, motels, boarding houses (transient)	N/A
R-2	Dormitories, fraternities, sororities and boarding houses (not transient)	10
R-2	Apartment house	N/A
R-3	One- and two-family dwellings	N/A
R-4	Residential care/assisted living facilities	10
S-1	Structures for the storage of goods, warehouses,	100
S-2	storehouse and freight depots. Low and moderate hazard	

903.1 Roof Extensions. Amend to read in its entirety:

903.1 Roof Extension. All open pipes that extend through a roof shall be terminated at least twelve inches above the roof, except that where a roof is to be used for any occupiable purpose, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

Section 5. Section 5-81 of the Code, concerning sign and wrecking permit fees, is hereby repealed and reenacted to read in its entirety as follows:

Sec. 5-81. Sign and demolition permit fees.

New or replacement signs shall have fees based on the valuation of the installation (total cost to the customer) and such fees shall be computed based on Table 1-A of the International Building Code. Demolition permit fees shall be fifty dollars (\$50.00) per address. Single or double-sided sign face changes shall not be subject to sign fees.

Section 6. Section 5-82 of the Code, concerning the International Property Maintenance Code, is hereby repealed and reenacted to read in its entirety as follows:

Sec. 5-82. Property Maintenance Code.

(a) *Adoption.* The International Property Maintenance Code, 2012 Edition, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the fuel gas code of the City of Wheat Ridge. One copy of said International Property Maintenance Code shall be filed in the office of the city clerk and may be inspected during regular business hours. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents and index contained herein.

- (b) *Amendments.* The International Property Maintenance Code adopted by this section is amended as follows. Section numbers referred to herein refer to and correspond with the section numbers of the 2012 International Property Maintenance Code.

101.1 Title. Amend to read in its entirety:

101.1 Title. These regulations shall be known as the *Property Maintenance Code* of the City of Wheat Ridge, hereinafter referred to as "this code."

111 Means of Appeal. Amend to read in its entirety:

111 Means of Appeal. Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in City of Wheat Ridge Municipal Code Sections 2-59 and 5-25. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, and fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

Section 111.4 Failure to comply. Amend to read in its entirety:

111.4 Failure to comply. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 60 dollars or not more than 1000 dollars.

Section 302.4 Weeds. Amend to read in its entirety:

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12) inches in height. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however this term shall not include cultivated flowers and gardens.

Section 303.2 Enclosures. Amend to read in its entirety:

303.2. Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches in depth shall be completely surrounded by a fence or barrier at least 60 inches in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-

latching device is less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches from the gate post. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Exception: Spas or hot tubs with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.

Section 304.14 Insect screens. Amend to read in its entirety:

304.14 Insect screens. Insect screens shall be provided on every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch, and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellant fans, are employed.

Section 602.3 Heat supply. Amend to read in its entirety:

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a minimum temperature of 68 degrees in all habitable rooms, bathrooms and toilet rooms.

Section 7. Section 5-84 of the Code, concerning the International Energy Conservation Code, is hereby repealed and reenacted to read in its entirety as follows:

Sec. 5-84. Energy Conservation Code.

- (a) *Adoption.* The International Energy Conservation Code, 2012 Edition, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the energy conservation code of the City of Wheat Ridge. One copy of said International Energy Conservation Code shall be filed in the office of the city clerk and may be inspected during regular business hours. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents and index contained herein.

- (b) *Amendments.* The International Energy Conservation Code adopted by this section is amended as follows. Section numbers referred to herein refer to and correspond with the section numbers of the 2012 International Energy Conservation Code.

C101.1 Title. Amend to read in its entirety:

C101.1 Title. These regulations shall be known as the *Energy Conservation Code* of the City of Wheat Ridge, and shall be cited as such. It is referred to herein as "this code."

C103.1 General. Amend to read in its entirety:

C103.1 General. Construction documents, statement of special inspections and other data shall be submitted in two (2) sets with each application for permit. The Building Official may allow additional sets to be submitted to allow for concurrent review to decrease the review time for applicants who wish to submit the additional documents. The code official is authorized to require necessary construction documents to be prepared by a registered design professional.

Exception: The code official is authorized to waive the requirements for construction documents or other supporting data if the code official determines they are not necessary to confirm compliance with this code.

C108 Stop work orders. Amend to read in its entirety:

C108 Stop work orders. Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work, or visibly posted at the work site. The notice shall state the conditions under which the work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work that person is directed to perform to remove a violation or unsafe condition, shall be deemed to be in violation of this code.

C109 Board of Appeals. Amend to read in its entirety:

C109. Board of Appeals. Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in City of Wheat Ridge Municipal Code Sections 2-59 and 5-25. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

C110 Violation penalties. Add the following section:

C110 Violation penalties. Any person or entity who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subjected to imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 8. Section 5-85 of the Code, concerning the International Residential Code, is hereby repealed and reenacted to read in its entirety as follows:

Sec. 5-85. Residential Code.

- (a) *Adoption.* The International Residential Code, 2012 Edition, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the one- and two-family dwelling code of the City of Wheat Ridge. One copy of said International Residential Code shall be filed in the office of the city clerk and may be inspected during regular business hours. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents and index contained herein.
- (b) *Amendments.* The International Residential Code adopted by this section is amended as follows. Section numbers referred to herein refer to and correspond with the section numbers of the 2012 International Residential Code.

R101.1 Title. Amend to read in its entirety:

R101.1 Title. These provisions shall be known as the *Residential Code for One-and Two-family Dwellings* of the City of Wheat Ridge, and shall be cited as such and will be referred to herein as "this code."

R101.2 Scope. Amend to read in its entirety:

R101.2 Scope. The provisions of the International Residential Code for One- and Two-Family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with separate means of egress and their accessory structures.

R105.2 Work exempt from permit. Amend to read in its entirety:

R105.2 Work exempt from permit. Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.
2. Fences not over 6 feet high.
3. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly on grade if the capacity does not exceed 5, 000 gallons and the ration of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work that is not part of the scope of a larger permissible project.
7. Prefabricated swimming pools that are less than 24 inches deep.
8. Swings and other portable playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.
10. Hoop houses as defined in Section 3102.2 of the International Building Code that do not exceed 400 square feet in floor area, that are not occupied by the general public, and that do not contain mechanical or electrical devices, equipment or systems.

Electrical:

1. Listed cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.

3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
5. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Gas:

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746W) or less.
8. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

R105.5 Expiration. Amend to read in its entirety:

R105.5 Expiration. Every permit issued by the code official under the provisions of this code shall expire one year (365 days) after the date of issuance. The building official is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

R106.1 Submittal documents. Amend to read in its entirety:

R106.1 Submittal documents. Construction documents, statement of special inspections and other data shall be submitted in two (2) sets with each application for permit. The Building Official may allow additional sets to be submitted to allow for concurrent review to decrease the review time for applicants who wish to submit the additional documents. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

R108.2 Schedule of permit fees. Amend to read in its entirety:

R108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The permit fee shall be established as set forth in Table 1-A.

R108.3 Building permit valuations. Amend to read in its entirety:

R108.3 Building permit valuations. The applicant for a permit shall provide an estimated project valuation at the time of application. Permit valuations shall include the total value of all work, including foundation work, structural and non-structural building components, electrical, gas, plumbing, mechanical and interior finish materials. Project valuation shall be calculated by the Building Division based on data published on the City website, and the higher of the applicant stated valuation and the division calculated valuation shall be used to determine building permit fees. Final building permit valuation shall be set by the building official.

R108.5 Refunds. Amend to read in its entirety:

R108.5 Refunds. The code official shall authorize the refunding of fees as follows:

1. The full amount any fee paid hereunder that was erroneously paid or collected.

2. Not more than 100 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

3. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

4. Not more than 50 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled after initiation of any plan review effort.

Note: The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

R112 Board of Appeals. Amend to read in its entirety:

R112 Board of Appeals. Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in City of Wheat Ridge Municipal Code Sections 2-59 and 5-25. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

R113.4 Violation penalties. Amend to read in its entirety:

R113.4 Violation penalties. Any person or entity who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair residential work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subjected to imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

R114.2 Unlawful continuance. Amend to read in its entirety:

R114.2 Unlawful continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 60 dollars or not more than 1000 dollars and shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

R202 Definitions. Add the following text under the definition of “ROOF DECK”:

Solidly sheathed deck shall be defined as decking consisting of APA approved wood structural panel sheathing.

Closely fitted deck shall be defined as decking consisted of APA approved wood structural panel sheathing or lumber sheathing conforming to the requirements of Table 503.2.1.1(1) in which no gap between members exceeds one-half of one inch.

Spaced decking shall be defined as lumber sheathing conforming to the requirements of Tables 2304.7(1) through 2304.7(5) in which any gap between members exceeds one-half of one inch.

Table R301.2(1): Climatic and Geographic Design Criteria. Table R301.2(1) shall apply as referenced in this code and is hereby completed as follows:

**Table R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	SPEED (MPH)	TOPOGRAPHIC EFFECTS		WEATHERING	FROST LINE DEPTH	TERMITE					

30 PSF	105	YES	B	SEVERE	36"	SLIGHT	0	YES	1979 FIRM	1500	45
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R401.2 Requirements. Amend to read in its entirety:

R401.2 Requirements. Foundation construction shall be capable of accommodating all loads according to Section R301 and of transmitting the resulting loads to the supporting soil. Fill soils that support footings and foundations shall be designed, installed and tested in accordance with accepted engineering practice. Gravel fill used as footings for wood and precast concrete foundations shall comply with Section R403. With the exception of prescriptive monolithic slabs less than 1000 square feet in size for garages or similar non-habitable occupancies, foundation systems shall be designed, inspected and approved by a State of Colorado registered Structural Engineer.

R602.5 Interior nonbearing walls. Amend to read in its entirety:

R602.5 Interior nonbearing walls. Interior nonbearing walls shall be permitted to be constructed with 2-inch-by-3-inch (51 mm by 76 mm) studs spaced 24 inches on center. Interior nonbearing walls shall be capped with at least a single top plate. Interior nonbearing walls shall be fire blocked in accordance with Section R602.8.

R602.7.3 Nonbearing walls. Amend to read in its entirety:

R602.7.3 Nonbearing walls. In interior and exterior nonbearing walls, a header constructed of two(2) 2-inch-by-4-inch members placed on edge shall be required over all openings spanning less than eight(8) feet.

R703.6.1 Lath. Amend to read in its entirety:

R703.6.1 Lath. All lath and lath attachments shall be of corrosion-resistant materials. Expanded metal or woven wire lath shall be attached with 1 1/2-inch long, 11 gage nails having a 7/16-inch head, or 7/8-inch-long, 16 gage staples, spaced at no more than 6 inches, or as otherwise approved. Whenever the wall sheathing is of code approved material capable of receiving and sustaining fasteners, lath fasteners shall be spaced at no more than 6 inches on center both horizontally and vertically, or as otherwise approved.

R803.1 Lumber Sheathing. Amend to read in its entirety:

R803.1 Lumber Sheathing. Allowable spans for lumber used as roof sheathing shall conform to Table 803.1. Spaced lumber sheathing for wood shingle and shake roofing shall conform to the

requirements of Section R905.7 and R905.8. Spaced lumber sheathing is not allowed in Seismic Design Category D2. Lumber sheathing installed with any gap exceeding one-half inch shall not be considered to be solid or closely-fitted sheathing, and shall be defined as spaced sheathing.

R807.1 Attic Access. Amend to read in its entirety:

R807.1 Attic Access. Buildings with combustible ceiling or roof construction shall have an attic access opening to attic areas that exceed 30 square feet and have a vertical height of 30 inches or more.

The rough-framed opening shall not be less than 22 inches by 30 inches and shall be located in a hallway or other readily accessible location. A 30-inch minimum unobstructed headroom in the attic space shall be provided at all points directly above the access opening. The finish opening dimensions of attic accesses shall be a minimum of 20 inches by 30 inches. See Section M1305.1.3 for access requirements where mechanical equipment is located in attics.

R905.2.6 Attachment. Amend to read in its entirety:

R905.2.6 Attachment. Asphalt shingles shall be attached with a minimum of 6 nails per shingle or as specified by the manufacturer, whichever is more restrictive. Where the roof slope exceeds 20 units vertical in 12 units horizontal (167 percent slope) special methods of fastening are required. Special fastening methods shall be tested in accordance with ASTM D 3161, Class F. Asphalt shingle wrappers shall bear a label indicating compliance with ASTM D 3161, Class F.

905.2.7.1 Ice barrier. Amend to read in its entirety::

905.2.7.1 Ice barrier. An ice barrier complying with ASTM D1970 shall be required in lieu of normal underlayment at roof eaves and shall extend from the eave edge to a point at least 24 inches inside the exterior wall line of the building.

Exception: Detached structures and attached garages that contain no conditioned floor area.

R905.2.8.5 Other Flashing. Amend to read in its entirety:

R905.2.8.5 Other Flashing. Flashing against a vertical front wall, as well as soil stack, vent pipe and chimney flashing, shall be applied according to the asphalt shingle manufacturer's printed instructions. A minimum 2-inch by 2-inch galvanized flashing shall be required at eaves of all roofs. Flashing shall be installed to as

recommended by manufacturer or as necessary to seal gaps between roof sheathing and roof gutters.

M1305.1.4 Appliances under floors. Amend to read in its entirety:

M1305.1.4 Appliances under floors. Underfloor spaces containing appliances requiring access shall have an unobstructed passageway large enough to remove the largest appliance, but not less than 30 inches high and 22 inches wide, no more than 20 feet long when measured along the centerline of the passageway from the opening to the appliance. A level service space at least 30 inches deep and 30 inches wide shall be present at the front or service side of the appliance. If the depth of the passageway or the service space exceeds 12 inches below the adjoining grade, the walls of the passageway shall be lined with concrete or masonry extending 4 inches above the adjoining grade in accordance with Chapter 4. The rough-framed access opening dimensions shall be a minimum of 22 inches by 30 inches where the dimensions are large enough to remove the largest appliance. The finish opening dimensions of under floor accesses shall be a minimum of 20 inches by 30 inches.

R101.1 Title. Amend to read in its entirety:

R101.1 Title. These provisions shall be known as the *Residential Code for One-and Two-family Dwellings* of the City of Wheat Ridge, and shall be cited as such and will be referred to herein as "this code."

P2904 Dwelling Unit Fire Sprinkler Systems. Delete this section and all corresponding subsections in their entirety.

P3103.1 Roof extension. Amend to read in its entirety:

P3103.1 Roof extension. All open pipes that extend through a roof shall be terminated at least twelve (12) inches above the roof, except that where a roof is to be used for any occupiable purpose, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

Appendices. The following appendices are adopted in their entirety:

Appendix A (IFGS): Sizing and Capacities of Gas Piping

Appendix B (IFGS): Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category 1 Appliances, and Appliances Listed for Use with Type B Vents

Appendix C (IFGS): Exit Terminals of Mechanical Draft and Direct-vent Venting Systems

Appendix D (IFGS): Recommended Procedure for Safety Inspection of an Existing Appliance Installation

Appendix H: Patio Covers

Appendix G: Swimming Pools in its entirety, with the following amendments:

AG105.2 (1). Amend to read in its entirety:

AG105.2(1). The top of the barrier shall be at least 60 inches above grade measured on the side of the barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches measured on the side of the barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the barrier is authorized to be at ground level or mounted on top of the pool structure, and the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches.

Section 9. Section 5-86 of the Code, concerning the International Fire Code, is hereby repealed and reenacted to read in its entirety as follows:

Sec. 5-86. Fire Code.

(a) *Adoption.* The International Fire Code, 2012 Edition, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the fire code of the City of Wheat Ridge. One copy of said International Fire Code shall be filed in the office of the city clerk and may be inspected during regular business hours. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents and index contained herein. Only Appendices B, D, F and I, published by the International Code Council are hereby adopted by reference. The 2012 International Fire Code shall be known as the "I.F.C." or the "fire code" and may be cited and referred to as such.

(b) *Amendments.* The International Fire Code adopted by this section is amended as follows. Section numbers referred to herein refer to and correspond with the section numbers of the 2012 International Fire Code.

Section 102.1 Construction and design. Amend to read in its entirety:

102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after adoption of this code.
2. Existing structures and conditions not legally in existence at the time of adoption of this code.

3. Existing structures, facilities and conditions which, in the opinion of the fire code official, constitute a distinct hazard to life or property.

103.4.1 Legal Defense. Amend to read in its entirety:

103.4.1 Legal Defense. Any suit instituted against any officer or employee of any fire protection district or any officer or employee of the City of Wheat Ridge because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the fire protection district or City by which he or she is employed by the legal representative of the fire protection district or City by which he or she is employed until the final termination of the proceedings. The fire code official, city officer or employee or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer or employee of the department of fire prevention or the City, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or reason of any acts or omission in the performance of official duties in connection therewith.

104.1 General Authority and Responsibilities. Amend by adding the following subsection:

104.1.1 Responsibilities. The International Fire Code shall be administered and enforced by the Building Official of the City of Wheat Ridge and designated assistants, who shall perform the following functions:

1. Approval of plans for building new structures and remodeling of existing structures;
2. The inspection of all construction of new and remodeling of existing structures;
3. The destruction of unsafe structures;
4. Enforcement of the International Fire Code shall be by the Division of Fire Prevention of the Wheat Ridge Fire Protection District, the Life Safety Division of the Arvada Fire Protection District, or the designated office of West Metro Fire Rescue and the Fairmount Fire Protection District for the functions listed pertaining to each jurisdictions respective amendments.
5. The Fire Marshal or his designated representative shall be responsible, as the designee of the Building Official of the City of Wheat Ridge, for the administration and enforcement of the code and shall enforce all ordinances of the jurisdiction.
6. Wherever this code refers to the *Fire Code Official* in the context of code administration it shall refer to the Fire Marshal, or his/her designee, of the respective fire district having

jurisdiction enforcement, or designated representative of the Building Official of the City of Wheat Ridge or his/her designee.

7. Wherever this code refers to the Fire Chief, it shall refer to the Chief of the Wheat Ridge Fire Protection District, the Arvada Fire Protection District, West Metro Fire Rescue or the Fairmount Fire Protection District.

Section 108 Board of Appeals. Amended as follows:

108.1 Board of appeals established. Appeals of decisions and determinations made by the Building Official or the fire code official shall comply with the process and procedures set forth in City of Wheat Ridge Municipal Code Sections 2-59 and 5-25.

108.2 Limitations on authority. Unchanged and adopted as written.

108.3 Qualifications. Delete in its entirety.

109.4 Violation penalties. Amend to read in its entirety:

109.4 Violation penalties. Any person or entity who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subjected to imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. The denial, suspension, revocation, or restriction of any permit or other privilege conferred by this code shall not be regarded as a penalty for purposes of this chapter.

Section 111.1 Order. Amend to read in its entirety:

111.1 Order. Whenever the building code official or fire code official finds any work regulated by this Code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the building code official or fire code official, with the concurrence of the other code official, is authorized to issue a stop work order.

Section 111.4 Failure to comply. Amend to read in its entirety:

111.4 Failure to comply. Upon notice from the code official, work that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work, or visibly posted at the work site. The notice shall state the conditions under which the work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 60 dollars or not more than 1000 dollars.

308.1.4 Open-flame cooking devices. Amend to read in its entirety:

308.1.4 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. One and two family dwellings.
2. Where buildings and decks are protected by an automatic sprinkler system.
3. LP-gas cooking devices having a LP-gas container with a water capacity not greater than 20 pounds.

Section 315 General Storage. Amend by adding the following subsection:

315.3.5 Marking maximum permitted storage height. Identification of the maximum approved storage height shall be provided in areas where stacked or shelved storage of materials occurs. The maximum approved height will be based upon the presence and design of the fire sprinkler system. Maximum storage height identification shall consist of a minimum of a four (4) inch (101.6 mm) stripe on a contrasting background shall be placed at twelve (12) feet (3657.6 mm) above the finished floor and clearly labeled with the designation: "No Storage Above This Line."

Section 503.2.1 Dimensions. Amend to read its entirety:

503.2.1 Dimensions-Public and Private Streets. Public and private streets that are used for fire apparatus access shall have an unobstructed width that meets the dimensions and parking restrictions as set forth by the *Street Standards* adopted by the City of Wheat Ridge; and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches (4115 mm).

Section 503.2.1 Dimensions. Amend by adding the following subsection:

503.2.1.1 Dimensions-Private Drives. Fire apparatus access that is designated as a private drive shall have an unobstructed width of not less than twenty-six (26) feet (7924.8 mm) and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches (4115 mm).

Section 507.5.1 Where required (water supply). Amend to read in its entirety:

507.5.1 Where Required. A fire hydrant shall be required where a portion of a facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 feet (90m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building. Onsite fire hydrants and mains shall be provided were required by the fire code official.

Exception:

1. For buildings equipped throughout with an approved automatic sprinkler system in accordance with section 903.3.1.1 or 903.3.1.2 the maximum distance requirement shall be 500 feet (150 meters).

Section 507.5.1.1 Hydrant for standpipe systems. Amend to read in its entirety:

507.5.1.1 Hydrant for sprinkler and standpipe systems. Buildings equipped with a sprinkler and/or standpipe system installed in accordance with section 903 or 904 shall have a fire hydrant within 150 feet (45 meters) of the fire department connection.

Exception: The distance shall be permitted to exceed 150 feet (45 meters) where approved by the fire code official.

Section 507.5.1. Where required (water supply) Amend by adding the following subsection:

507.5.1.2 Location and spacing of hydrants. Fire hydrants shall be provided along required apparatus access roads and adjacent public streets with spacing between hydrants no greater than 300 feet. Fire hydrant spacing for complexes or subdivisions shall not exceed 300 feet.

Section 903.1 General. Amend by adding the following subsection:

903.1.2 Location of sprinkler control valves. When automatic sprinkler systems are required within a building and the system

serves more than one tenant space, the main control valves shall be located within an approved room that is accessible directly from the building exterior. The door to said room shall be not less than three (3) feet (914 mm) in width by six (6) feet eight (8) inches (203.2 mm) in height. The door to said room shall be identified as required in section 509.1.

Section 903.4.2 Alarms. Amend by adding the following subsection:

903.4.2.1 Audible and visual signals. Audible and visual fire alarm notification devices shall be connected to every automatic sprinkler system. Such audible and visual devices shall be activated throughout the building upon water flow.

904.11.6.2 Extinguishing system service. Amend to read in its entirety:

904.11.6.2 Extinguishing system service. Automatic fire-extinguishing systems shall be serviced at least every six months and after activation of the system. Inspection shall be by qualified individuals who shall forward a certificate of inspection to the fire code official as soon as reasonably practical upon completion. Pre-engineered systems that are not compliant with the UL 300 must be clearly noted on the certificate of inspection and must state if the system is serviceable and appropriate for its application per the existing system manufacturers listing and maintenance requirements.

Section 904 Alternative Automatic Fire-Extinguishing Systems. Amend by adding the following subsection:

904.12 Residential cooking equipment. Installation of an approved residential fire extinguishing system shall be installed to protect the equipment when residential cooking equipment is installed within Group A, B, E, F, I, M, S, and R-4 occupancies.

912.3.1 Locking fire department connection caps. Amend to read in its entirety:

912.3.1 Locking fire department connection caps. Approved locking fire department connection caps shall be installed on fire department connections on all new water-based fire protection systems. Installation of approved locking fire department connection caps shall be required on existing water-based fire protection systems where there is a history of missing caps or interior obstructions of the fire department connection.

Section 1030.3 Obstructions. Amend by adding the following subsection:

1030.3.1 Exterior signage. Exit doors that could be obstructed or blocked from the outside shall be posted with a permanent sign on the exterior side of the door stating "EXIT DOOR – DO NOT

BLOCK." The sign shall consist of letters having a principal stroke of not less than three-fourths (3/4) inch (19 mm) wide and at least six (6) inches (152 mm) high on a contrasting background.

1101.1 Scope. Amend to read in its entirety:

1101.1 Scope. The provisions of this chapter shall apply to existing buildings constructed prior to the adoption of this code that in the opinion of the fire code official, constitute a distinct hazard to life or property.

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Amend to read in its entirety:

5704.2.9.6.1 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks shall conform to the geographic limits established by Chapter 26 of the Wheat Ridge Municipal Code of Laws.

5706.2.4.4 Locations where above-ground tanks are prohibited. Amend to read in its entirety:

5706.2.4.4 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks shall conform to the geographic limits established by Chapter 26 of the Wheat Ridge Municipal Code of Laws.

5806.2 Limitations. Amend to read in its entirety:

5806.2 Limitations. Storage of flammable cryogenic fluids in stationary containers outside of buildings shall conform to the geographic limits established by Chapter 26 of the Wheat Ridge Municipal Code of Laws.

6104.2 Maximum capacity within established limits. Amended to read in its entirety:

6104.2 Maximum capacity within established limits. Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons within the City of Wheat Ridge.

Chapter 80 Referenced standards. Amend by adding a subsection titled Insurance Service Office and listing the following standard:

INSURANCE SERVICE OFFICE

Insurance Service Office
545 Washington Boulevard

Jersey City, NJ 07310-1686

Insurance Service Office Guide for Determining Fire Flow, Fire Suppression Rating Schedule May 2008.

Appendix B Section B105.1. Amend to read in its entirety::

B105.1 One- and two-family dwellings. The minimum fire-flow and flow duration requirements for one- and two-family dwelling having a fire-flow calculation area that does not exceed 3,600 square-feet (344.5 square-meters) shall be 1,500 gallons per minute (5678 L/min) for 1 hour. Fire-flow and flow duration requirements for one- and two-family dwelling having a fire-flow calculation area in excess of 3,600 square-feet (344.5 square-meters) shall not be less than that specified in Table B105.1.

Exception: A reduction in required fire-flow of 50 percent, as approved by the fire code official, is allowed when the building is equipped with an approved automatic fire sprinkler system.

Appendix B Section B105.2. Amend to read in its entirety:

B105.2 Buildings other than one- and two-family dwellings. The minimum fire-flow and flow duration requirements for buildings other than one- and two-family dwellings shall as specified in Table B105.1.

Exception: A reduction in required fire-flow of 50 percent, as approved, is allowed when the building is equipped with an approved automatic fire sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (5678 L/min) for the prescribed duration as specified in Table B105.1.

Appendix D Section D102.1 Access and loading. Amend to read in its entirety:

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 85,000 pounds (38636 kg).

Appendix D Section D103.5 Fire apparatus access road gates. Amend to read in its entirety:

D103.5 Fire apparatus access road gates. Gates securing fire apparatus access roads shall comply with all of the following criteria:

1. The minimum gate width shall be 16 feet (4877 mm) or as wide as necessary to facilitate the required turning radius.
2. Gates shall have an approved means of automatic operation upon approach of emergency equipment.
3. Gates shall be of the swinging, sliding, or specifically approved lift type.
4. Construction of gate shall be of materials that allow manual operation by one person.
5. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
6. Electric gates shall be equipped with a Knox electronic override switch for all inbound directions of travel and any outbound direction of travel where automatic opening of the gate when a vehicle is present does not occur.
7. Manual opening gates shall not be locked with a padlock, or chain and padlock, unless they are provided with a Knox padlock in series with the padlock, or chain and padlock.
8. Locking device specifications shall be submitted for approval by the fire code official.
9. Electric gate operators, where provided, shall be listed in accordance with UL 325.
10. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.
11. Electronically operated gates must stay open a minimum of 30 seconds when the Knox electronic override switch is turned on/off and must remain in the open position when the switch is turned on and left on.
12. A Knox fire department decal shall be placed adjacent to the Knox electronic override switch unless other approved fire department marking is provided.

Section 10. Section 5-87 of the Code, concerning the International Fuel Gas Code, is hereby repealed and reenacted to read in its entirety as follows:

Sec. 5-87. Fuel Gas Code.

(a) *Adoption.* The International Fuel Gas Code, 2012 Edition, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the fuel gas code of the City of Wheat Ridge. One copy of said International Fuel Gas Code shall be filed in the office of the city clerk and may be inspected during regular business hours. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents and index contained herein.

(b) *Amendments.* The International Fuel Gas Code adopted by this section is amended as follows. Section numbers referred to herein refer to and correspond with the section numbers of the 2012 International Fuel Gas Code.

101.1 Title. Amend to read in its entirety:

101.1 Title. These regulations shall be known as the *Fuel Gas Code* of the City of Wheat Ridge, hereinafter referred to as "this code."

106.5.3 Expiration. Amend to read in its entirety:

106.5.3 Expiration. Every permit issued by the code official under the provisions of this code shall expire one year (365 days) after the date of issuance. The building official is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

106.6.2 Fee schedule. Amend to read in its entirety:

106.6.2 Fee Schedule. The fees for work done pursuant to this code shall be as set forth in Table 1-A.

106.6.3 Refunds. Amend to read in its entirety:

106.6.3 Refunds. The code official shall authorize the refunding of fees as follows:

1. The full amount any fee paid hereunder that was erroneously paid or collected.
2. Not more than 100 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.
4. Not more than 50 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled after initiation of any plan review effort.

Note: The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

108.4 Violation penalties. Amend to read in its entirety:

108.4 Violation penalties. Any person or entity who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 dollars or by imprisonment not

exceeding 90 days, or both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subjected to imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

108.5 Stop work orders. Amend to read in its entirety:

108.5 Stop work orders. Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work, or visibly posted at the work site. The notice shall state the conditions under which the work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 60 dollars or not more than 1000 dollars.

109 Means of Appeal. Amend to read in its entirety:

109 Means of Appeal. Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in City of Wheat Ridge Municipal Code Sections 2-59 and 5-25. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, and fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

406.4 Test pressure measurement. Amend to read in its entirety:

406.4 Test pressure measurement. Test pressure shall be measured with a manometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. Mechanical gauges used to measure test pressure shall have a maximum pressure range of 150 psig., except for one and two-family dwellings, which shall have a maximum range of 30 psig and shall display measurements in 1 psig increments.

406.4.1 Test Pressure. Amend to read in its entirety:

406.4.1 Test Pressure. The test pressure to be used shall be no less than 1-1/2 times the working proposed maximum working pressure, but not less than 20psig, irrespective of design. Where the test pressure exceeds 125 psig, the test pressure shall not exceed a

value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

406.4.2 *Test duration.* Amend to read in its entirety:

406.4.2 Test duration. Test duration shall be not less than one-half hour for each 500 cubic feet of pipe volume or fraction thereof, except for one and two-family dwellings, which shall a test duration of not less than 15 minutes. The maximum test duration shall not be required to exceed 24 hours.

Appendices. The following appendices are adopted in their entirety without amendment:

Appendix A (IFGS): Sizing and Capacities of Gas Piping

Appendix B (IFGS): Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category 1 Appliances, and Appliances Listed for Use with Type B Vents

Appendix C (IFGS): Terminals of Mechanical Draft and Direct-Vent Venting Systems

Appendix D (IFGS): Recommended Procedure for Safety Inspection of an Existing Appliance Installation

Section 11. Section 5-88 of the Code, concerning health care facilities code, is hereby repealed and reenacted to read in its entirety as follows:

Sec. 5-88. Health care facilities code.

(a) *Adopted.* The NFPA 99 Standards for Health Care Facilities 2015 Edition, Copyright by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts, 02269 is hereby adopted by reference thereto and incorporated into this article as though fully set out herein as the health care facilities code for the city. Except as otherwise provided in this article, such code is adopted in full, including the index and annex contained therein. One (1) copy of said Standards for Health Care Facilities 2015 Edition shall be filed in the office of the clerk and may be inspected during regular business hours.

(b) *Amendments.* None

Section 12. Table 1-A concerning building permit fees and other related fees, attached hereto as **Attachment 1**, is hereby adopted; provided, however, the City Council may amend the same from time to time by motion or resolution.

Section 13. Penalties. Penalties and remedies for violations of the codes and standards adopted by reference by Sections 1 through 12 of this Ordinance are set forth in Code Sections 5-5 and 5-83, which read, in their respective entireties, as follows:

Sec. 5-5. Enforcement and remedies.

(a) *Civil actions.* When an alleged violation of this chapter has not been voluntarily abated within the time specified in the notice issued pursuant to section 2-34:

- (1) The city may bring a civil action in the municipal court to have the violation declared as such by the court and to have the court enjoin the violation or to authorize its restraint, removal, termination or abatement by the owner, agent, occupant or person who caused the violation or the person who allowed the violation to continue, or by the mayor, the director of community development, director of public works or the chief of police or their designated representatives.
- (2) The civil action to declare and abate a violation of this chapter shall be brought in the name of the City of Wheat Ridge by filing a complaint, which shall be verified or supported by an affidavit. Summonses and subpoenas shall be issued and served as in civil cases. Any employee or agent of the City of Wheat Ridge who is over the age of eighteen (18) may serve a summons and verified complaint upon the owner, agent, occupant or the person who caused or allowed the violation (hereinafter "respondent"), or a subpoena upon any witness to the violation. Trial shall be to the court.
- (3) A notice of appearance shall be served with the summons and complaint. The appearance date shall be not less than twenty-one (21) days from the date of service of the summons and complaint. The respondent shall file a response or answer on or before the appearance date specified in the notice of appearance. The trial shall be held upon the appearance date, unless the court grants a continuance for good cause shown. No case shall be continued for more than sixty (60) days after the appearance date.
- (4) Upon the date and time specified for appearance and trial, if the respondent has filed no response and fails to appear, and if the city proves that proper service was made on respondent at least twenty-one (21) days prior to the appearance date, the court may grant such orders as are requested by the city; except that, the court shall order the enforcement by the city be stayed for ten (10) days and that a copy of the court's order be mailed to the respondent at his last known address. Failure to appear on any date set for hearing and trial shall be grounds for entering a default and default judgment against the nonappearing party. Prior to enforcement, and upon good cause shown, the court may set aside an entry of default and default judgment entered thereon.
- (5) Any disobedience to or interference with any injunction or order issued by the municipal court in an action to abate a violation of this chapter of the Wheat Ridge Code of Laws may

be punished as a contempt of court or by a fine of not more than one thousand dollars (\$1,000.00). Each day's failure to comply with an injunction or order to abate shall constitute a separate act of contempt for which an additional penalty may be imposed.

- (6) In order to facilitate just, speedy, informal and inexpensive determinations of claims, the court shall follow the rules of county court civil procedure, as presently adopted and as amended hereafter from time to time, excepting Rules 302, 313, 338, 339, 347, 348, 350, 351, 351.1, 359(c)(2), 365, 383, 398, 402, 403, 404 and 406 thereof, and shall further utilize and follow the provisions of Rule 65 of the Colorado Rules of Civil Procedure in all cases wherein civil enforcement of the provisions of chapter 5 is sought. In the event of any discrepancy between any of the provisions of chapter 5 and those applicable rules of county court civil procedure, or Rule 65 of the Colorado Rules of Civil Procedure adopted hereby, the provisions of chapter 5 shall prevail and be applied.

The right is expressly reserved and delegated to the presiding judge of the Wheat Ridge Municipal Court to adopt rules of procedure for the Wheat Ridge Municipal Court, which rules shall be applicable in any civil enforcement action brought by the city; provided, however, that said rules of procedure adopted and promulgated by the presiding judge of the municipal court shall not conflict with or contradict the authority of the city to pursue civil enforcement for violations of the provisions of this chapter 5.

- (7) In any case in which the city prevails in a civil action initiated pursuant to this subsection (a), the city may recover its reasonable costs of abating the violation, including reasonable costs of litigation, plus fifteen (15) percent in administrative costs; plus costs may be assessed against the subject property pursuant to paragraphs 16-13-313 and 16-13-314, C.R.S., (as amended). The remedies specified in this subsection (a) shall be in addition to all other remedies provided by law.

(b) Cumulative remedies. The remedies set forth herein are cumulative. In the event any building, structure or utility is erected, constructed, reconstructed, altered, repaired, converted, demolished, moved or maintained, or any building, structure or utility is used in violation of this chapter, the city or any proper city official may institute any other appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or occupancy to restrain, correct or abate such violation or to prevent the occupancy of such building, structure or land. The initiation of any action or the imposition of any penalty hereunder shall not preclude the city or any proper person from instituting any other appropriate action or proceeding to require compliance with the

provisions of this chapter and with administrative orders and determinations made hereunder.

Sec. 5-83. Technical code violation penalties.

Except as otherwise provided for in the amendments for a code adopted herein by reference, a person, firm, corporation, partnership or any other entity who violates any of the technical codes contained in this articles, as such violations are defined in each of the respective codes and its amendment(s), may be punished by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment for a period of not exceeding one year, or both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subjected to imprisonment for violation of any provision of a technical code contained in this article. Each day that a violation continues shall be deemed a separate offense. The penalties provided in this section are intended to apply exclusively and solely to the technical codes contained in this articulated and do not rescind, amend or otherwise affect any other penalty provisions of this chapter.

Section 14. Severability, Conflicting Ordinances Repealed. If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 15. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Wheat Ridge, that it is promulgated for the health, safety, and welfare of the public and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 16. Effective Date. This Ordinance shall take effect fifteen (15) days after final publication, as provided by Section 5.11 of the Charter.

Section 17. Notwithstanding any other provision of this Ordinance or the Codes adopted herein to the contrary, each medical marijuana establishment and retail marijuana establishment existing within the City as of the effective date of this Ordinance shall comply with Section 502.20 of the International Mechanical Code, as adopted and amended by Section 3 of this Ordinance, prior to May 1, 2015.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 7 to 0 on this 8th day of September, 2014, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for October 13, 2014 at 7:00 p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.


READ, PUBLIC HEARING CONDUCTED, ADOPTED AND ORDERED
PUBLISHED on second and final reading by a vote of 8 to 0, this 13th day of October,
2014.

SIGNED by the Mayor on this 14th day of October, 2014.

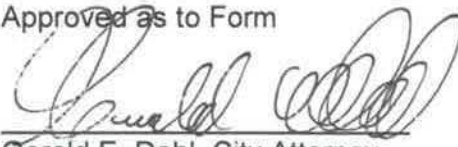



Joyce Jay, Mayor

ATTEST:


Janelle Shaver, City Clerk

Approved as to Form


Gerald E. Dahl, City Attorney

First Publication: September 11, 2014
Second Publication: November 13, 2014
Wheat Ridge Transcript
Effective Date: December 1, 2014

Attachment 1

2012 Table 1-A - Building Permit Fees

Total Valuation	Fee
\$1.00 to \$500.00	\$26.50
\$501.00 - \$2,000.00	\$26.50 for the first \$500.00 plus \$3.40 for each additional \$100.00, or fraction thereof, to and including \$2,000.00.
\$2,001 - \$25,000.00	\$77.50 for the first \$2,000 plus \$15.85 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00.
\$25,001.00 - \$50,000.00	\$442.05 for the first \$25,000.00 plus \$11.50 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00.
\$50,001.00 - \$100,000.00	\$729.55 for the first \$50,000 plus \$8.05 for each additional \$1,000.00, or fractions thereof, to and including \$100,000.00.
\$100,001.00 - \$500,000.00	\$1132.05 for the first \$100,000.00 plus \$6.45 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00.
\$500,001.00 - \$1,000,000.00	\$3712.05 for the first \$500,000.00 plus \$5.50 for each additional \$1,000.00, or fractional thereof, to and including \$1,000,000.00.
\$1,000,001.00 and up	\$6462.05 for the first \$1,000,000.00 plus \$4.10 for each additional \$1,000.00, or fraction thereof.
Other Inspections and Fees: 1. Inspections outside of normal business hours (two hour minimum) \$60.00 per hour (1) 2. Re-inspection fees \$60.00 per hour (1) 3. Inspections for which no fee is specifically indicated (one hour minimum) \$60.00 per hour (1) 4. Additional plan review required by changes, additions or revisions to plans \$60.00 per hour (1) * (two hour minimum) 5. For use of outside consultants for plan checking and inspections, or both Actual costs (2) 6. A fee equal to the permit fee shall be applied to all permits for work initiated prior to issuance of the required permit	
(1) Or the total hourly costs to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employee(s) involved. (2) Actual costs including administrative and overhead costs.	

Fees for specific projects shall be as listed below, plus use taxes based on project valuation:

Residential Furnace/Boiler Replacement \$40.00

<i>Residential Water heater replacement</i>	<i>\$40.00</i>
<i>Backflow device for Residential lawn irrigation</i>	<i>\$40.00</i>
<i>Residential Evaporative Coolers</i>	<i>\$40.00</i>
<i>Residential Window Replacement</i>	<i>\$50.00</i>
<i>Demolition Permit</i>	<i>\$50.00</i>
<i>Residential Hot Tubs and Above-Ground Pools</i>	<i>\$60.00</i>
<i>Residential Air-Conditioning</i>	<i>\$60.00</i>
<i>New Residential Furnace/Boiler installation (non-replacement)</i>	<i>\$100.00</i>

** Prices are exclusive of applicable use taxes based on valuation*